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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,963	06/15/2001	Bryan Smith	34650-00677USPT	9158

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JENKENS & GILCHRIST, PC
1445 ROSS AVENUE
SUITE 3200
DALLAS, TX 75202

EXAMINER

PEREZ, ANGELICA

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 03/02/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/882,963

Applicant(s)

SMITH, BRYAN

Examiner

Angelica M. Perez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on June 15 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4-1
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyland (Boyland, Cornelius, WO 00/04737) in view of Wakimoto (Wakimoto et al., JP 405268650 A).

Regarding claims 1 and 15, Boyland teaches of a method of alerting a user of a mobile telephone that the user is connected to a second network other than a usual first network (pages 17 and 18, lines 34-49 and 1-35, respectively), comprising: allocating a first set of specific user-definable non-text settings in the user's telephone to a situation where the user is connected to a first network (page 18, lines 17-29); allocating a second set of specific user-definable non-text settings in the user's telephone to a situation where the user is connected to a second network (page 18, lines 29-35); switching the settings automatically to said first set when user's telephone becomes connected to said first network (page 18, lines 17-29; where the the mobile station displays "Teleplus" the home network) of the network is switching the settings automatically to the second set when the telephone becomes connected to the second network (page 18, lines 17-29; where the mobile displays "Money-by-Phone" corresponding to the second network) and circuitry for switching automatically to said

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first set when user's mobile telephone is connected to said first network, and for switching automatically to said second set when user's mobile telephone is connected to the second network (figure 4, item 10).

Boyland does not specifically teach where alerting the user immediately before a call is activated, by an indication caused by the first and second non-text settings respectively that the user is connected to the first or second network. and circuitry for switching automatically to said first set when user's mobile telephone is connected to said first network, and for switching automatically to said second set when user's mobile telephone is connected to the second network

Wakimoto, in related art concerning incoming call control, teaches of alerting the user immediately before a call is activated, by an indication caused by the first and second non-text settings respectively that the user is connected to the first or second network (Abstract located in pages 1 and 2; where the ringer is a non-text generated indicator).

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Boyland's method of alerting a user of a mobile telephone that the user is connected to a second network other than a usual first network with Wakimoto's ringer in order to provide an alternative indicator to the method.

Regarding claims 2 and 16, Boyland in view of Wakimoto teaches all the limitations of claims 1 and 15. Wakimoto further teaches where the non-text settings in the user's telephone may be selected from indications including: sound; acoustic

sounds; LED; vibration; and ring signal (Abstract on page 1; where the examiner as selected "ring signal" from the choices provided).

Regarding claims 5 and 18, Boyland in view of Wakimoto teaches all the limitations of claim 2 and 16. Wakimoto further teaches where an incoming call is associated with a ring signal, the method including the step of the user selecting if the ring signal should be associated with a first or second network (Abstract on page 1).

Regarding claims 6, 9 and 23, Boyland in view of Wakimoto teaches all the limitations of claims 1, 8 and 15, respectively. Boyland also teaches where the first network may be the user's home network /a preferred network (page 3, lines 18-29; where the "home network" corresponds to the "preferred network").

Regarding claims 7, 10, 24, 26 and 27, Boyland in view of Wakimoto teaches all the limitations of claims 6, 8, 23 and 25, respectively. Boyland also teaches where the second network may be a foreign network other than the user's home network /preferred network (e.g. a network from a foreign county; page 10, lines 14-25).

Regarding claims 8, 12 and 25, Boyland in view of Wakimoto teaches all the limitations of claims 1 and 15. Boyland also teaches where the user's telephone includes a display (figure 3, item 3) which can show an identification of a current connected network which may be confirmed by the user reading text on the display (figure 3, item 31 and page 10, lines 14-25; where the information includes either home or international network to which a user's call is connected).

Claims 3, 13, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyland in view of Wakimoto as applied to claims 1 and 15 above, and further in view of Rankin (Rankin, Paul J., US Patent Publication No.: 2002/0039909 A1).

Regarding claims 3, 13, 19 and 20, Boyland in view of Wakimoto teaches all the limitations of claim 2, 12, 15 and 16, respectively.

Boyland does not specifically teach where the acoustic sounds are associated with a prompt used during voice dialing.

In related art regarding a device control apparatus, Rankin teaches of the acoustic sounds are associated with a prompt used during voice dialing (page 1, paragraph 0018).

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Boyland's and Wakimoto's acoustic sounds with Rankin's voice dialing in order to have varied means as indicators, e.g., "acoustic".

Regarding claim 4, Boyland in view of Wakimoto teaches all the limitations of claim 2. Rankin further teaches where the vibration setting is used in association with one or more of voice dialing, flip opening or key pressing (page 1, paragraph 0003; where the examiner selected "voice dialing" as the choice in the selection provided).

Regarding claims 11 and 28, Boyland in view of Wakimoto teaches all the limitations of claim 1 and 15. In addition, Boyland teaches where the non-text settings are associated with user defined profiles in the mobile telephone (page 18, lines 14-35; where the "profiles" correspond to the "network code" and identification information).

3. Claims 13 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyland (Boyland, Cornelius, WO 00/04737) in view of Wakimoto (Wakimoto et al., JP 405268650 A) as applied to claims 1 and 15 above, and further in view of Vestergaard (Vestergaard et al., US Publication No. 2002/0068574 A1).

Regarding claims 13 and 19, Boyland in view of Wakimoto teaches all the limitations according to claims 12 and 15.

Boyland in view of Wakimoto does not specifically teach where the graphic display comprises an LCD display.

In related art regarding network selection in a mobile communications system, Vestergaard teaches where the graphic display comprises an LCD display (page2, paragraph 0022; where the examiner selected LCD from the choices provided by the applicant).

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Boyland's and Wakimoto's graphic display method with Vestergaard's LCD display in order to provide a graphical presentation of the information corresponding to the networks.


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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angelica Perez whose telephone number is 703-305-8724. The examiner can normally be reached on 7:15 a.m. - 3:55 p.m., Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703-308-7745. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2600's customer service number is 703-306-0377.


Angelica Perez
(Examiner)


NAY MAUNG
SUPERVISORY PATENT EXAMINER

Nay A. Maung
(SPE)

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February 23, 2004